

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
N/S Cedar Park Court, 485 ft.
W of C/L Cedar Mill Road
14 Cedar Park Court
2nd Election District
2nd Councilmanic District
Mark W. Pointer, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1B01.2.C.2.d of the Baltimore County Zoning Regulations (B.C.Z.R.) and V.B.5.a and V.B.5.b (CMDD) to permit a window and building to tract boundary setback of 25 ft. in lieu of the required 35 ft. and 30 ft. respectively, and to amend the First Amended Final Development Plan of Cedar Mills for Lot No. 24, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24th day of January, 1992 that the Petition for a Zoning Variance from Section 1B01.2.C.2.d of the Baltimore County Zoning Regulations (B.C.Z.R.) and V.B.5.a and V.B.5.b (CMDD) to permit a window and building to tract boundary setback of 25 ft. in lieu of the required 35 ft. and 30 ft. respectively, and to amend the First Amended Final Development Plan of Cedar Mills for Lot No. 24, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

-2-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113, Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

January 23, 1992

Mr. and Mrs. Mark W. Pointer
14 Cedar Park Court
Randallstown, Maryland 21133

RE: Petition for Residential Zoning Variance
Case No. 92-249-A

Dear Mr. and Mrs. Pointer:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmn
enc1.

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section

1B01.2.C.2.d B.Z.R. AND V.B.5.a AND V.B.5.b (CMDD) TO PERMIT

A WINDOW AND BUILDING TO TRACT BOUNDARY SETBACK OF 25 FT. IN LIEU OF THE REQUIRED 35 FT. AND 30 FT. RESPECTIVELY AND TO AMEND THE FIRST AMENDED FINAL DEVELOPMENT PLAN OF CEDAR MILLS FOR LOT #24

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (indicate hardship or practical difficulty):

1. This area lends itself to the utilization of the existing facilities and land without interruption or major alterations to the present floor plan patterns.
2. Insulate and reduce heating bills.
3. Reduce outside noise.
4. A place to sit out and not be concerned with the weather, bugs; mosquitoes, flies, etc.
5. Improve appearance of house.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Legal Owner(s):

(Type or Print Name)

Signature

Address

City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

PATIO ENCLOSURES, INC.

224 8th AVENUE, N.W.

GLEN BURNIE, MD. 21061

Attorney's telephone number 760-1919

ORDERED by the Zoning Commissioner of Baltimore County, this 17 day of DECEMBER, 1991, that the subject matter of this petition be posted on the property on or before the 5 day of JAN, 1992.

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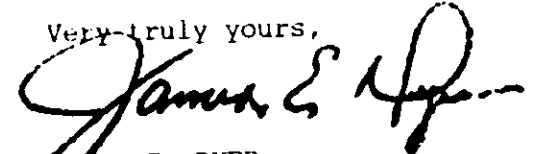
10/10/91

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2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys and/or engineers who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the loss of filing fee.

Very truly yours,

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. & Mrs. Mark W. Pointer
14 Cedar Park Court
Randallstown, MD 21133



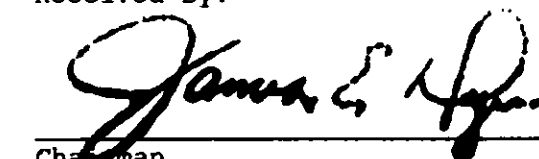
111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this
17th day of December, 1991.


ARNOLD JABLON
DIRECTOR

Received By:


Chairman,
Zoning Plans Advisory Committee

Petitioner: Mark W. Pointer, et ux
Petitioner's Attorney:



700 East Popple Road, Suite 901
Towson, MD 21204-5500

(410) 887-4500

JANUARY 6, 1992

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: MARK W. POINTER AND YVONNE O. POINTER

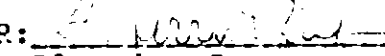
Location: #14 CEDAR PARK COURT

Item No.: 264 Zoning Agenda: DECEMBER 31, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER:  Noted and
Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/KEK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: January 7, 1992
Zoning Administration and
Development Management
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Fischer Property, Item No. 255
Pointer Property, Item No. 264
Lingelback Property, Item No. 263
Burleigh Property, Item No. none provided

In reference to the applicants' request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL:rdn
ITEM255/TXTROZ

BALTIMORE COUNTY
ECONOMIC DEVELOPMENT COMMISSION

Memorandum

TO: Julie Winiaraki
Office of Zoning Administration and
Development Management
FROM: A. J. Haley, Deputy Director
Economic Development Commission
DATE: January 7, 1992
RE: Zoning Advisory Comments for Meeting of December 31, 1991

This office has no comment for items 262, 263, 264, and 265.

RECEIVED
JAN 8 1992
ZONING OFFICE

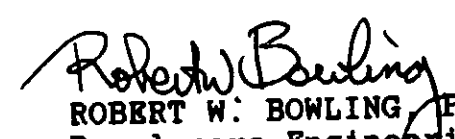
BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: January 16, 1992
Zoning Administration and Development Management
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting
for December 31, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments. Items 262, 263, 264, 267, 269, 270 and 271.

For Case No. R-90-407 (Cycle 3, Item #8), County Review Group Meeting is required.

For Item 265, a County Review Group Meeting is required.


ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

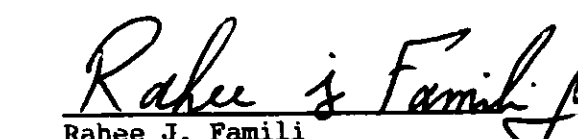
BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: January 16, 1992

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management
FROM: Rahee J. Famili
SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: December 31, 1991

This office has no comments for item numbers 262, 263, 264, 267, 269 and 271.


Rahee J. Famili
Traffic Engineer II

RJP/lvd

111 West Chesapeake Avenue
Towson, MD 21204

December 27, 1991

Mr. & Mrs. Mark W. Pointer
14 Cedar Park Court
Randallstown, Md. 21133

Re.: CASE NUMBER: 92-249-A
LOCATION: N/S Cedar Park Court, 485' W C/L Cedar Mill Road

Dear Petitioner(s):

Please be advised that your petition for a Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a rebuttal regarding the administrative process.

1) Your property will be posted on or before January 5, 1992. The closing date is January 20, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

J. A. Thomas
(301) 887-3391

day of MAY

NINETY-ONE

party

0.00 and other good and valuable
which is hereby acknowledged

D RCAF	13.00
D TTX	187.60
D MUES	540.00
	0 M
TRK	1140.60

06/14/92

, in fee simple, all

Baltimore County

a plat entitled, "1st Amended
Records of Baltimore County in

Park Court.

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te maintenance and utility

ated April 22, 1991 and
in Liber SM, No. 8787,
corporation, a body corporate
Inc., a body corporate unto
nership, in fee simple.

d property is residentially

YVONNE O. POINTER

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE [Signature] DATE 11/1/71

03A02#0005LTRTX \$2,040.32
SA COD8:55AM06-10-91

03A02#0005TLTRTX \$2,040.32
BA 0008:54AM06-10-91

